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DISTRICT COURT
DISTRICT OF NEVADA
DEPUTY

1. Justin L. Tripp #40730-086
2. Pro Se
3. FCI SHERIDAN
4. P.O. BOX 5000
5. Sheridan, OR 97378

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

6. JUSTIN L. TRIPP,
7. Plaintiff,
8. vs.
9. CLARK COUNTY, ET. AL.,
10. Defendants.

* Case No.: 2:17-cv-01964-JCM-BNW
* MOTION TO WITHDRAW PLAINTIFF'S MOTION
* SEEKING SANCTIONS FOR PERJURY
* [EFC 112]
*

11. The Plaintiff had filed a Motion seeking Sanctions for Perjury based on
12. massive irregularities in the U.S. Mail system here at FCI Sheridan. The Plaintiff
13. has notified this Court in the past about the difficulties and virtual handicaps
14. he suffers by the mail policies here at this facility, and it seems that these
15. policies are creating situations where mail is being returned without notifying
16. the Plaintiff that mail had even been attempted.

17. Further, in Ms. Carrie Perrault's Declaration, she swears that she "[r]esent,
18. along with the rejected envelope, to Plaintiff..." had the Plaintiff received
19. this post-marked envelope, then he would have known that these Defendants had in
20. fact tried to effectuate service on said date, but because he never received this
21. envelope he was left to deduce that the defendants had just failed to file timely.
22. Ms. Perrault swears she re-sent the envelope that was originally rejected by the
23. B.O.P., this seems counter-intuitive as if it was rejected once and returned, then
24. surely they would not give this same envelope to the Plaintiff upon a remailing
25. of it, so the Plaintiff never saw this envelope, never knew it existed, so had
26. to go by only the facts that the Defendants had seemingly mailed the Motion to
27. join late. Harmless error perhaps in hindsight.

1. Tripp accepts these Defendants explanation and as such withdraws his Motion
2. seeking sanctions.

3. Tripp would like to note that indeed he has had problems with the mail here,
4. that these problems are prevasive at this facility. and that they further affect
5. some 1200 plus inmates housed here. With the recent referral to the Pro Bono
6. Pilot Program, hopefully an Attorney will accept this case soon, and these issues
7. will no longer pose any issue.

8.
9. Dated this 15th day of December, 2019.

10.
11. Respectfully,

12. 
Justin Tripp

13.
14.
15. IT IS HEREBY ORDERED that ECF No. 116 is
16. GRANTED. IT IS FURTHER ORDERED that
ECF No. 112 is Withdrawn.

17. IT IS SO ORDERED

18. DATED: 12/23/19

19.
20. 
21. _____
22. BREND A WEKSLER
23. UNITED STATES MAGISTRATE JUDGE
24.
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CERTIFICATE OF SERVICE

I certify, Justin L. Tripp Pro Se litigant, and that on the date below, I caused the foregoing: Certificate of Service of Notice
Motion to Withdraw Motion Seeking Sanctions
has been filed

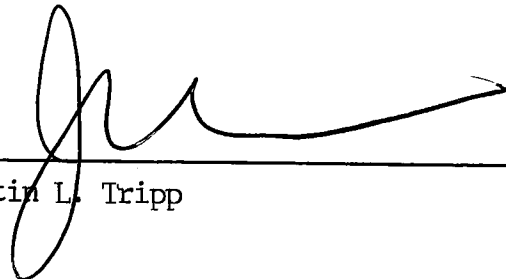
to be served via First Class Mail addressed to the following:

UNITED STATES DISTRICT COURT
Office of the Clerk
333 Las Vegas BLVD. So. Rm. #1334
Las Vegas, NV 89101

CHAD C. COUCHOT
SCHUERING ZIMMERMAN & DOYLE
400 University Avenue
Sacramento, CA 95825

LYSSA S. ANDERSON
KAEMPHER CROWELL
1980 Festival Plaza Drive Suite 650
Las Vegas, NV 89135

Dated this 15 day of Dec., 2019.


Justin L. Tripp